

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**IN RE: PHARMACEUTICAL INDUSTRY AVERAGE  
WHOLESALE PRICE LITIGATION**

MDL No. 1456

C.A. No. 01-12257-PBS

THIS DOCUMENT RELATES TO:

*International Union of Operating Engineers, Local No. 68  
Welfare Fund v. AstraZeneca Pharmaceuticals, L.P., et al.;*  
*C.A. No. 04-11503-PBS*

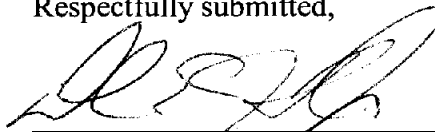
Judge Patti B. Saris

**NOTICE OF VOLUNTARY DISMISSAL OF LUPRON®-RELATED  
CLAIMS WITH PREJUDICE BY PLAINTIFF, INTERNATIONAL UNION OF  
OPERATING ENGINEERS, LOCAL NO. 68 WELFARE FUND**

International Union of Operating Engineers, Local No. 68 Welfare Fund (hereinafter “Local 68”), hereby dismisses all Lupron®-related claims with prejudice, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure on the grounds that (1) Local 68 commenced this action on June 30, 2003; (2) no answer or motion for summary judgment has been filed by any defendant; and (3) no class has been certified respecting the Class Action Complaint filed by Local 68 such that Rule 23(e) of the Federal Rules of Civil Procedure is not applicable.

WHEREFORE, pursuant to Rule 41(a)(1)(i), Local 68 hereby gives notice of the voluntary dismissal of all Lupron®-related claims with prejudice.

Respectfully submitted,



Date: October 28, 2005

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Local No.68*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Voluntary Dismissal of Lupron®-Related Claims with Prejudice by Plaintiff, International Union of Operating Engineers, Local No. 68 Welfare Fund was served on all counsel via LexisNexis pursuant to Case Management Order No. 2. The counsel listed below are not registrants of LexisNexis and are being served via facsimile.

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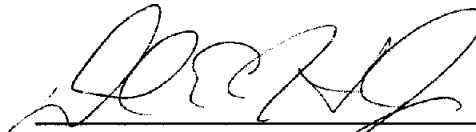
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